

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DONALD BROWN, et al.,	)	
	)	
Plaintiffs,	)	
	)	No. 4:13-CV-1225 CAS
v.	)	
	)	
FARRAN MASONRY, LLC,	)	
	)	
Defendant.	)	

**JUDGMENT**

Plaintiffs filed this action to recover delinquent fringe benefit contributions allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§ 185 and 1132. Plaintiffs also seek to recover liquidated damages, attorneys' fees, accounting fees and costs incurred in this action. Defendant Farran Masonry, LLC was served with the summons and complaint on June 28, 2013 and has not appeared in this action.

Plaintiffs move for judgment by default, submitting in support of their motion a memorandum, exhibits, the Affidavit of Gary Juenger, the Affidavit of Charles Kinder, CPA and the Affidavit Greg A. Campbell. Based upon plaintiffs' motion, the Court finds the following: Under the collective bargaining agreement, an audit of the records of defendant was performed for the period of April 1, 2011 through August 9, 2013. The audit reflected that defendant owed plaintiffs \$16,514.46 in fringe benefit contributions. Further, under the collective bargaining agreement and ERISA, 29 U.S.C. § 1132(g)(2), defendant owes plaintiffs \$2,211.55 in liquidated damages, \$609.51 in accounting fees, \$423.00 in attorneys' fees, and \$489.90 in court costs. Based on the evidence presented, the Court finds the services performed by plaintiffs' accountants and attorneys were

reasonable and necessary to the litigation of this case, the rates charged were reasonable, and the amount sought for accounting and attorneys' fees is reasonable.

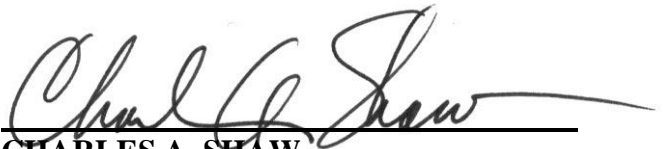
The total amount owed by defendant Farran Masonry, LLC to plaintiffs during this time period is Twenty Thousand Two Hundred Forty-Eight Dollars and Forty-Two Cents (\$20,248.42).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiffs' motion for default judgment against defendant Farran Masonry, LLC is **GRANTED**. [Doc. 8]

**IT IS FURTHER ORDERED** that judgment is entered in favor plaintiffs and against defendant Farran Masonry, LLC in the total amount of Twenty Thousand Two Hundred Forty-Eight Dollars and Forty-Two Cents (\$20,248.42).

**SO ORDERED:**

A handwritten signature in black ink, appearing to read "Charles A. Shaw", is written over a horizontal line.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 22nd day of October, 2013.